

**ENVIRONMENTAL ASSESSMENT
FOR
LEASE OF LIGHTHOUSE COMPLEX
AT CAPE SAN BLAS
RCS 04-145**



24 Jun 04

**Prepared by: Environmental Analysis Branch
Stewardship Division
Environmental Management Directorate
Air Armament Center**

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**FINDING OF NO SIGNIFICANT IMPACT
LEASE OF LIGHTHOUSE COMPLEX AT CAPE SAN BLAS
EGLIN AIR FORCE BASE, FLORIDA
RCS 04-145**

The Air Force has prepared an environmental assessment (EA) to analyze the potential for impacts as a result of the proposed Lease of the Lighthouse Complex at Cape San Blas (CSB), Eglin Air Force Base (AFB), Gulf County, Florida. The EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S. Code [U.S.C.] 4321 et seq.), the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and Air Force environmental impact analysis process (EIAP) (32 CFR Part 989).

This Finding of No Significant Impact (FONSI) summarizes the results of the analyses documented in the EA. The discussion is focused on activities that have the potential to impact either the natural or the human environments, or both.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

The Lighthouse Complex at Cape San Blas currently consists of a lighthouse, an oil house, and two Keeper's Quarters (KQ). Gulf County proposes to lease these structures and the 1.82 acres of underlying land then sublease the property to the St Joseph Historical Society, Inc, which in turn will rehabilitate, maintain, and operate the property as a historic district/museum. The leased premises would initially include the oil house; KQ #2, which has received extensive rehabilitation by the Air Force; and KQ #1, which is in need of comprehensive rehabilitation that the County will provide. Once the lighthouse and the land underlying it have been remediated of lead contamination, this area, too, shall be part of the leased premises. In addition to the existing structures, an 80 ft x 235 ft parking lot would be built on the leased area to accommodate school buses and staff and visitor parking; only a small portion, enough for two handicapped parking spots, would be paved. The Lighthouse Complex would be operated by Gulf County in accordance with an Operating Agreement between Gulf County and Eglin AFB.

SUMMARY OF ENVIRONMENTAL CONSEQUENCES

Execution of the lease, rehabilitation of KQ #1, and establishing a museum/historic district will have modest socioeconomic benefits and a marked benefit to historic resources. Remediation of the lead-contaminated soil from around the lighthouse will have a marked benefit. Disposal of hazardous materials from the rehabilitation and paving two handicapped parking spaces will have a negligible negative impact.

MITIGATION MEASURES


Lighting restrictions are prescribed during sea turtle season in accordance with a Biological Opinion rendered by the U.S. Fish and Wildlife Service. The State Historic Preservation Officer must approve any modifications to the buildings or grounds.


CUMULATIVE IMPACTS

The EA reviewed several reasonably foreseeable future actions and found their impacts to the human or natural environments not to be significant.

DECISION

After considering the analysis of the potential environmental impacts documented in the attached EA, and after considering the mitigation measures described above, I have concluded that the activities proposed to be conducted under the Proposed Action, the Alternative to the Proposed Action, or the No-Action Alternative would not have a significant effect on the human or natural environments. The EA also provides sufficient evidence and analysis to determine that an environmental impact statement (EIS) is not required.


TRACEY A. WALKER, Lt Col, USAF
Acting Director, Environmental Management


DATE

1 PURPOSE OF AND NEED FOR ACTION

In 2001, Eglin Air Force Base (Eglin AFB) published an Announcement for Solicitation for Lease Candidates for the Cape San Blas Lighthouse Complex. The proposed action is to grant to Gulf County, the sole bidder to the solicitation, a 25-year lease of a plot of Air Force (AF) land that includes the Lighthouse (LH), the two Keeper's Quarters (KQs) and the brick "oil house" in order to rehabilitate the historic KQ #1 (Figure 1-1) at Cape San Blas (CSB) and to operate the area as a museum/historic site. Gulf County has received a \$300,000 grant from the State of Florida to rehabilitate KQ #1.



Figure 1-1: Keeper's Quarters #1

1.1 RELATED ENVIRONMENTAL DOCUMENTS

US Air Force, 2001, RCS 98-549, "Cape San Blas Programmatic Environmental Assessment"

1.2 SCOPE OF THE ENVIRONMENTAL ASSESSMENT

The initial environmental review of this proposal by an interdisciplinary team at Eglin AFB considered the following issues:

- Air Quality
- Biological Resources
- Cultural Resources
- Environmental Justice
- Foreseeable Consequences/Future Actions
- Hazardous Materials/Waste
- Noise
- Land Use
- Physical Resources
- Safety/Restricted Access
- Socioeconomics
- Soils
- Water Quality

2 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 ALTERNATIVE 1 (PREFERRED ALTERNATIVE)

Gulf County would lease 1.82 acres of land (Figure 2-1) in order to conduct a comprehensive rehabilitation of the CSB lighthouse KQ #1. KQ #2, which has received extensive rehabilitation by the Air Force, and the oil house would be included in the lease. The LH itself and associated parcel of land (Plot B, “+/-0.27 acres not included” in Figure 2-1), would also come under the lease once that area has been remediated to remove lead contamination in the soil from lead-based paint chips and flakes. Gulf County intends to sublease these facilities to the St Joseph Historical Society, Inc for rehabilitation as a historic district/museum. All work on the buildings will be done in accordance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (The Secretary's Standards). Gulf County and the St. Joseph Historical Society have received a \$300,000 grant from the Florida State Historic Preservation Office to provide professional design for the rehabilitation of the KQ. An 80 ft x 235 ft parking lot would be built on the leased area to accommodate school buses and staff and visitor parking; only a small portion, enough for two handicapped parking spaces, would be paved. The historic district would be managed in accordance with an Operating Agreement between Gulf County and Eglin AFB. See Appendix 1 for the draft of the agreement.

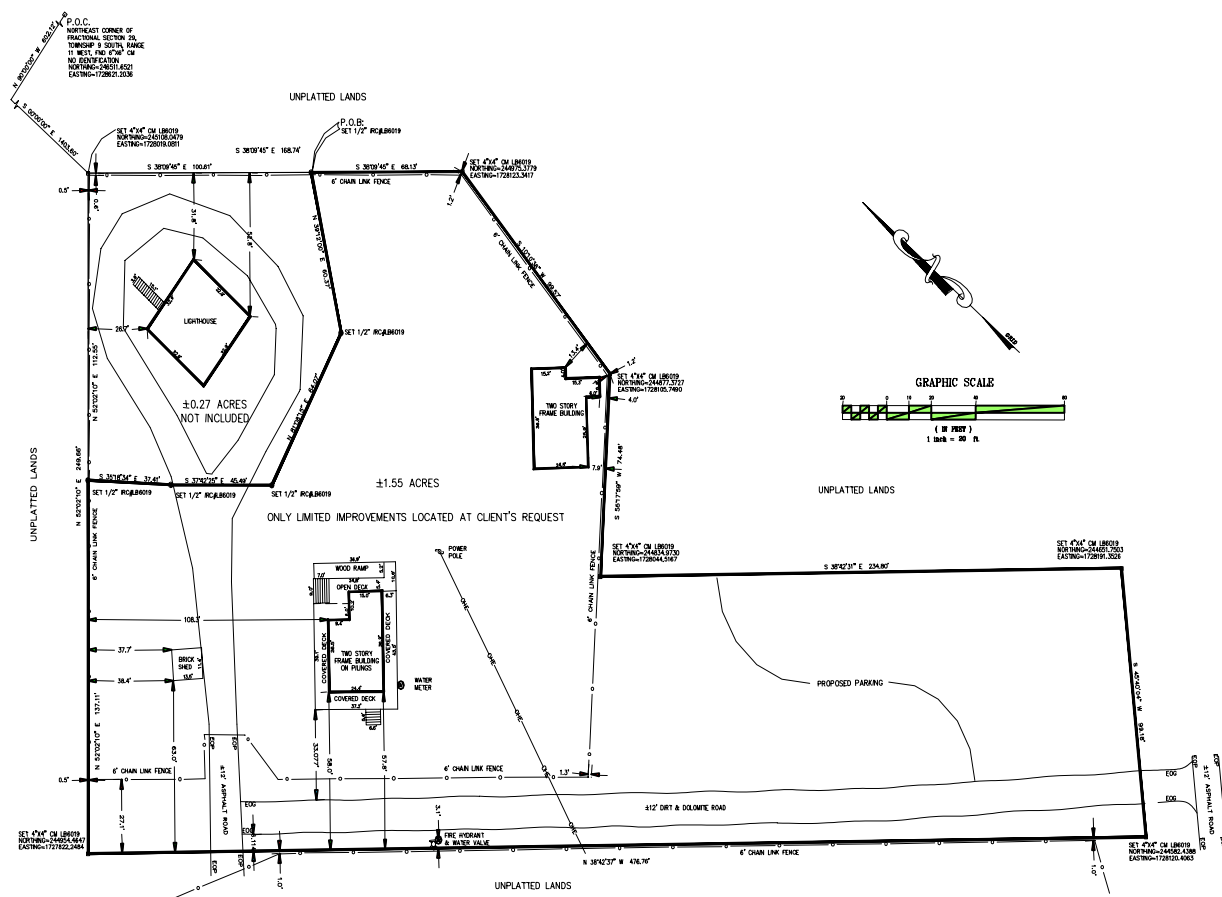


Fig 2-1. Surveyor's map

2.2 ALTERNATIVE 2

Alternative 2 is the same as Alternative 1 except that the lighthouse and its associated 0.27 acre parcel of land would not be part of the initial lease. Following AF remediation of the soil associated with the LH parcel, Plot B, would be either be added as an addendum to the KQ lease at some future time or be leased under a separate real estate instrument. The LH and parcel would then become part of the historic district/museum.

2.3 NO ACTION ALTERNATIVE

No lease would be executed. Gulf County would lose the grant money and KQ #1 would continue to deteriorate until other funding could be sought and obtained.

2.4 OTHER ALTERNATIVES CONSIDERED

Other alternatives considered, but not deemed feasible include:

Leasing the Complex to an agency other than Gulf County. Since Gulf County was the sole bidder on the earlier solicitation, another solicitation would have to be proffered and a second bidder found. This was not deemed practical as it would further delay rehabilitation of the historic site.

Sale of KQ #1 to Gulf County and relocating it to the mainland.. This alternative was considered several years ago but not executed since Gulf County lacked funding and is impractical since the structure probably now wouldn't survive the move.

3 AFFECTED ENVIRONMENT

The property first came under federal control when Spain ceded Florida to the U.S. Government under the Adams-Onis Treaty of 1821. The area had a series of lighthouses beginning in 1849 that were variously destroyed by hurricanes or coastal erosion. The present lighthouse was constructed in 1885 and the present two Keeper's Quarters were constructed in 1903; all three were moved in 1919 due to coastal erosion. The light was electrified in the late '30s/early '40s. The U.S. Coast Guard assumed control of the lighthouse when the US Lighthouse Service and the Coast Guard merged on 7 July 1939. In August of 1952, the Air Force established a LORAN (Long Range Aid to Navigation) repeater station at the site, which subsequently became a Coast Guard responsibility. The Coast Guard took control of the repeater and operated it as a manned LORAN station until 1972, when it was automated, and afterward until 18 Jan 1996, when it and the lighthouse were deactivated. Meanwhile in the late '50s, the Air Force constructed Test Area D-3 nearby on a 3,611 acre area acquired by condemnation in Mar 1942 for \$37,026.00. In 1981, the Air Force received a 5-year use agreement for the lighthouse property, which was followed by a 25-year use agreement. In 1994 the Cape San Blas Lighthouse Historic District, Florida State Site File No. 8GU25, was determined eligible for listing on the *National Register of Historic Places (NRHP)*. Both quarters were moved again in 1999 after suffering severe damage from Hurricanes Erin and Opal in 1995 and Hurricane Earl in 1998. Congress authorized the transfer of the property from the Coast Guard to the Air Force in 1998, and the transfer was completed in January 2001. The Air Force completed the rehabilitation of the Keeper's Quarters #2 in March of 2000.

The optic for the lighthouse is a "Third Order Bi-valve" or "Clam Shell" Fresnel lens manufactured by Rarbier Benard and Ture in Paris, France. The Fresnel lens was originally installed in the third (masonry) Cape San Blas lighthouse in 1866. The electrical service for the

operation of the lens system has been removed. Reillumination of the lighthouse using a timer-based system was accomplished in 2002 for aesthetic purposes only and not as an aid to navigation.

The U.S. Coast Guard owns the lens and has expressed a desire to retain ownership indefinitely. In 2000 the Coast Guard formally loaned the lens to the Air Force for display purposes only for a

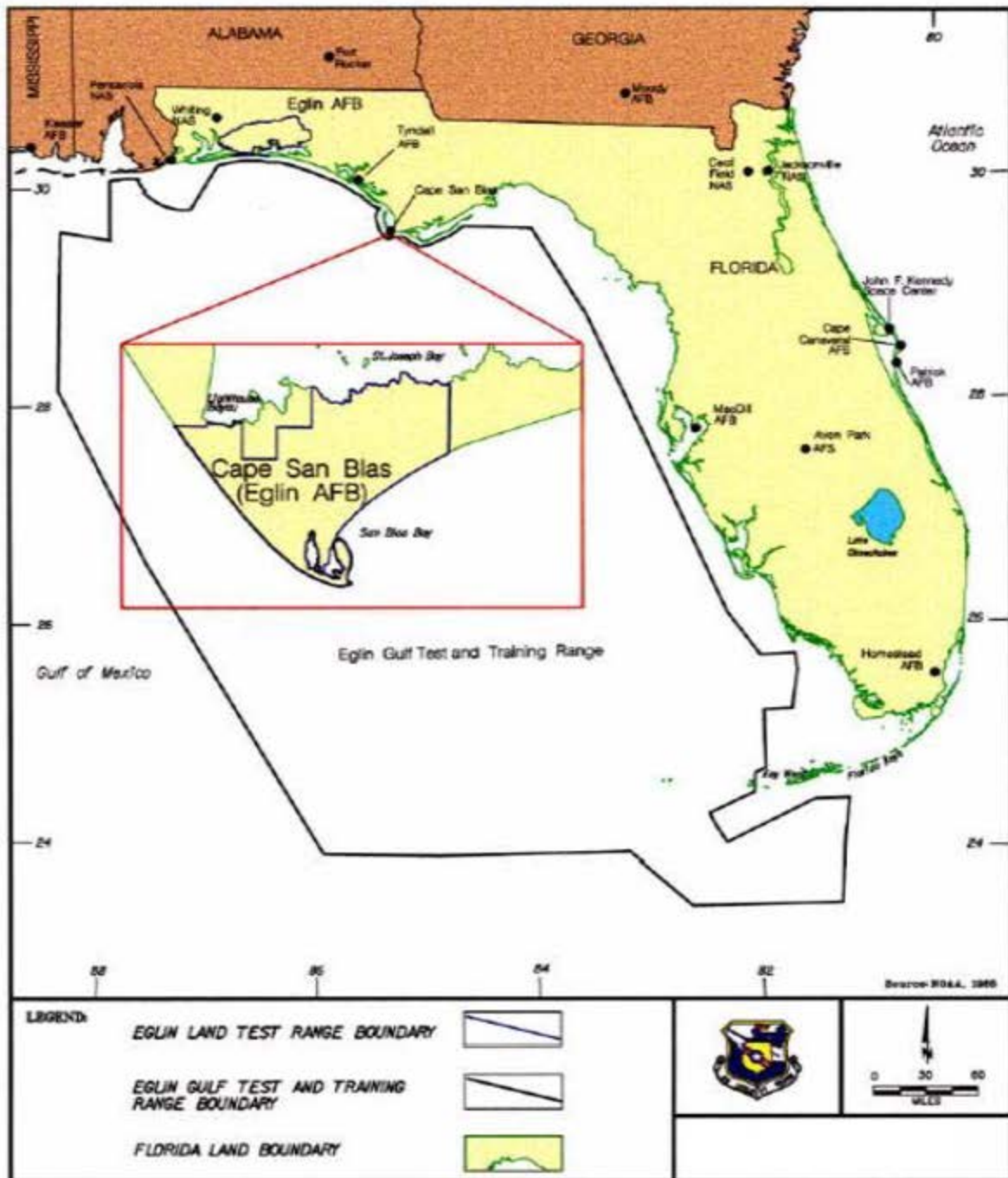


Figure 3-1. Location of Cape San Blas in the State of Florida

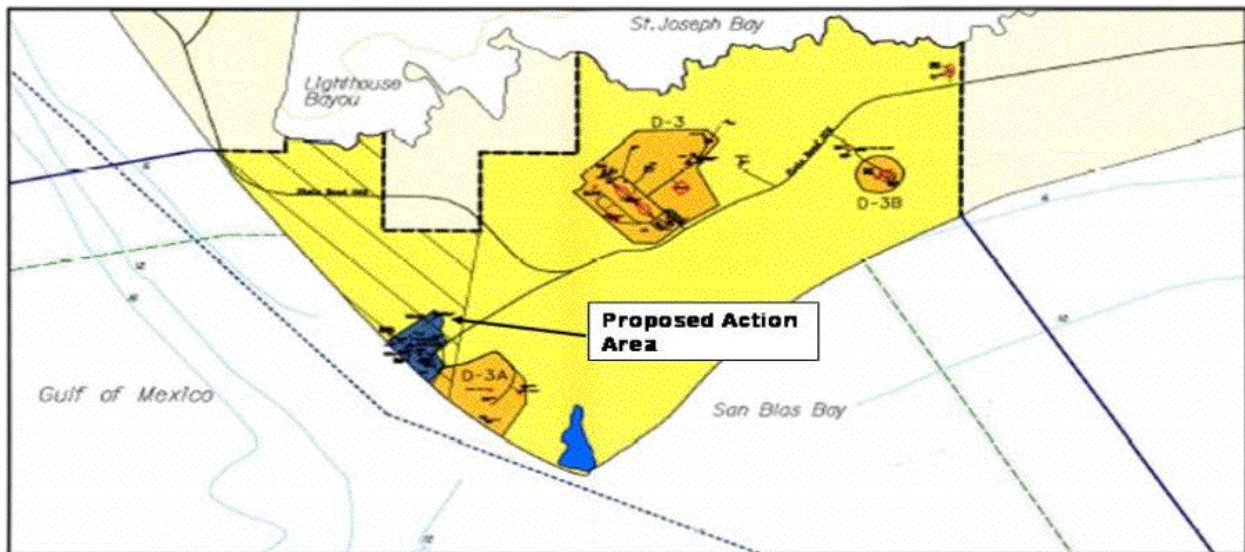


Figure 3-2: Location of Eglin AFB property at CSB.

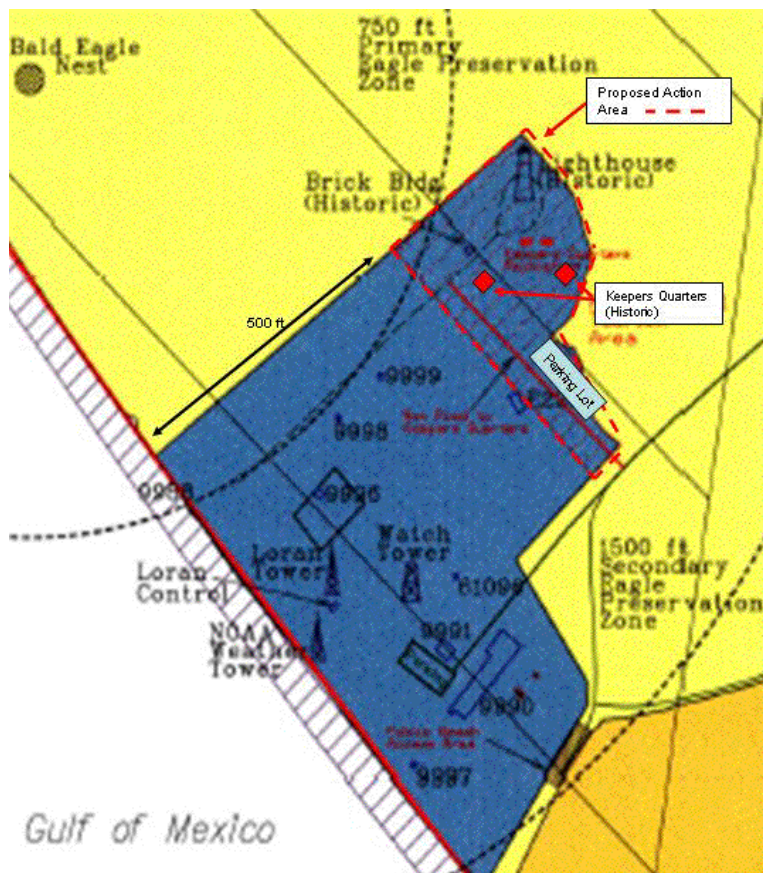


Figure 3-3: Proposed Area for Lease (Within Red Dashed Line).

period of five years. The five-year "Agreement for Outgoing Loan" will expire on 23 Aug 2005, at which time the lens would be returned to the Coast Guard unless the loan is renewed.

In 2001, Eglin published an Announcement for Solicitation for Lease Candidates for the lighthouse complex. Gulf County submitted the sole proposal.

Soil samples taken in December 2003 from under the lighthouse revealed high concentrations of lead in the soil, presumably from 80 years of flaking paint. A second survey on 14 Jan 04 established the boundaries of the lead contamination.

The subject property (See Figures 3-1 through 3-3.) is a cleared plot less than two acres in area set about 500 feet from the Gulf of Mexico and surrounded by Eglin property. The nearest inhabited structure is an old Coast Guard barracks near the water's edge used by University of Florida graduate students during sea turtle nest monitoring season. The nearest private property is about 3500 ft to the NNW.

3.1 DESCRIPTION OF THE PARCEL

A tract or parcel of land lying in and being a part of fractional Section 29, Township 9 South, Range 11 West, Gulf County, Florida and being more particularly described as follows:

Commence at a concrete monument marking the northeast corner of said fractional Section 29, Township 9 South, Range 11 West, Gulf County, Florida, thence N 90°00'00" W 602.12 ft; thence S 00°00'00" E 1403.60 feet to a concrete monument, the point of beginning; thence S 38°09'45" E, 168.74 feet to a concrete monument; thence S 10°10'36" W, 99.57 feet to a concrete monument; thence S 57°17'59" W, 74.48 feet to a concrete monument; thence S 38°42'31" E, 234.80 feet to a concrete monument; thence S 45°40'04" W, 99.18 feet to a concrete monument; thence N 38°42'37" W, 476.76 feet to a concrete monument; thence N 52°02'10" E, 249.66 feet to the point of beginning. Said lands containing 1.82 acres, more or less.

The site is serviced by an electric line and by a water line from a well on Site D-3. A septic tank is in use for the renovated KQ. The historic district, 8GU25, consists of four structures: the lighthouse itself; the two Keeper's Quarters; and the brick oil house ("Brick Bldg" in Figure 3.3) situated SW of the lighthouse and still in its original location.

3.2 SOILS

Cape San Blas is located in the Coastal Lowlands Physiographic Province and consists of Coastal Strand; Corolla-Duckston-Kureb soils. Corolla-Duckston-Kureb soils, in this vicinity, are nearly level and are moderately to excessively drained.

Soils in the 1.82-acre area were sampled in January 2004 for lead contamination. The 0.27-acre parcel of land near the lighthouse was found to have elevated levels of lead, presumably from years of lead-based paint flaking off the lighthouse. The parcel containing the keeper's quarters had lead levels well below the action level (400 ppm) set by the US Environmental Protection Agency. Figure 3-4 shows the sampling location and results.

3.3 SOCIOECONOMICS

Reference 1 discusses the socioeconomics of the area in detail.

proposed action will not facilitate increased access to the primary zone of the eagle's nest as the beach area south of the nest has eroded to a point where foot traffic is unmanageable.

Reference 1 contains a more detailed discussion of endangered species in the Cape San Blas area.

3.7 CULTURAL RESOURCES

The parcel was subjected to a phase I archaeological survey in 1994 (Reference 2). No significant archaeological resources were located within the area of the proposed action.

The Lighthouse District, 8GU25, is eligible for listing on the *NRHP*. As such, any action or lack of action that has the potential to affect the character-defining features of the District, including but not limited to maintenance, renovation, rehabilitation, neglect, change of use, or construction within or in close proximity to the District, would be subject to review and approval by Eglin AFB and the State Historic Preservation Officer (SHPO) in accordance with Section 106 of the NHPA, the Secretary's Standards, the Programmatic Agreement between Eglin AFB, the SHPO and the Advisory Council on Historic Preservation that was signed in 2003 (Reference 4), and the Operating Agreement between Eglin AFB and Gulf County (Appendix A).

The plans for the proposed rehabilitation of KQ #1 were developed by Gulf County in consultation with the SHPO and Eglin AFB -- as required by the aforementioned Programmatic Agreement -- and accepted by all parties. Section 106 consultation requirements have therefore been met until such time as additional actions are proposed that are subject to Section 106 review.

4 ENVIRONMENTAL CONSEQUENCES

4.1 IMPACTS TO PARCEL

The parking lot is planned to be left in its currently maintained state, with the exception of the paved area for handicapped parking (two spaces). The State Clearinghouse has given a verbal concurrence with the AF's determination that the action is consistent with the Coastal Zone Management Act.

4.2 SOILS

The proposed action involves the rehabilitation of already existing buildings. Building rehabilitation is not anticipated to involve additional soil disturbance or breaching the soil/groundwater interface. The proposed leased area (excluding the indicated 0.27 acres under the lighthouse) is free of soil contamination. The entire 1.82 acre parcel is free of underground storage tanks (USTs). Air Force access to the 0.27 acres under the lighthouse will be maintained so that the Government can remediate the lead containing soils beneath the lighthouse. The lighthouse and the underlying contaminated soil will become part of the premises leased to the County only upon remediation by the Air Force. Remediation presently awaits funding, but could begin as soon as Fiscal Year 2005.

4.3 SOCIOECONOMICS

The proposed action should have some positive socioeconomic benefits relating to a modest increase in tourism by lighthouse/history enthusiasts and a higher awareness of local history on the part of the school-aged population. The additional tourists may utilize local hotels, restaurants, and gas stations.

4.4 HAZARDOUS MATERIALS/WASTE

Since lead-based paint and asbestos must be removed and disposed of in accordance with applicable EPA, OSHA, and State regulations, there will be a positive impact to the environment at Cape San Blas.

4.5 CUMULATIVE IMPACTS OF REASONABLY FORESEEABLE FUTURE ACTIONS

Several actions are reasonably foreseeable should the lease and rehabilitation be approved. All would be subject to review and approval by Eglin AFB and the SHPO.

4.5.1 Remodeling the Interior of KQ #2

Since an office for the historic district will be needed and perhaps a souvenir shop, it can be anticipated that the interior of one of the KQs will be altered to accommodate these functions. KQ #2, having already had its interior modernized extensively, would be the likely choice. This would constitute a change in use of the building, but its interior is unlikely to undergo more than a few alterations to accommodate the change, and the exterior perhaps no more than the addition of some signage. Given approval from the SHPO, this would not have a significant impact on the environment.

4.5.2 Expansion of the Septic System

While it is difficult to gauge the future popularity of the complex, should it prove a favorite destination for multiple schoolchildren or tours, the County may wish to redesign its current latrine facilities to accommodate large groups. To do so, the County may wish to tap into existing sewer lines or expand its existing septic system, but neither option, properly permitted, would have a significant impact on the environment.

4.5.3 Improvement of Access Road to Accommodate Buses

Heavy bus traffic could necessitate repaving or reinforcing the asphalt access road from SR-30E and the gravel road to the site. As long as best management practices were employed during repair/improvement, this road work would not have a significant impact on the environment.

4.5.4 Relocation of KQ #1 to be More Proximate to KQ #2.

It may be desirable to move the newly renovated KQ #1 closer to KQ #2 to better recreate their historic spatial separation and/or to take better advantage of utility lines already in place. This would not have a significant impact on the environment.

4.5.5 Relighting of LH

This was considered in 1999 for aesthetic purposes, not as an actual aid to navigation. Section 7 consultation with the US Fish and Wildlife Service (Reference 3) resulted in a finding of “Not likely to affect” if certain management practices were employed. These included several options

including not lighting during Turtle Season (1 May to 31 Oct). The County would need to negotiate an agreement with the Coast Guard for use of its Fresnel lens. Such an agreement would not have a significant impact on the environment provided the aforementioned management practices were employed

When operating under the strictures set by the consultation, this would not have a significant impact on the environment.

4.5.6 Establishing a Picnic Area

While there are no plans at present to establish a picnic area at the complex, it wouldn't be unreasonable to anticipate placing a few picnic tables for staff use or for use by small school classes.

4.5.7 Reopening the LH to the Public.

There are presently no plans to open the interior of the LH to the public. The design of the stairway does not meet the minimum requirements for fixed stairs in ANSI Standard A14.3, para 4.1.3, 4.1.4, and 4.1.4.1(1) thru (3). If the lighthouse is opened to public, the stairway must be caged and locked to prevent access. Any such alteration would need SHPO approval.

4.5.8 Relocation of LH Complex

Considering the historical rate of coastal erosion at CSB, it may be necessary to move the KQs and/or the LH sometime later in this century. This would require termination of the present lease. Since the structures could be relocated anywhere on the Cape – or indeed anywhere in Gulf County -- such an action is beyond the scope of this EA and will not be considered here. It would require additional environmental analysis under the National Environmental Policy Act.

5 PLANS, PERMITS AND MANAGEMENT REQUIREMENTS

Any additional lighting installed in the area would need to follow one of the minimally acceptable requirements for sea turtles. (1) A very low wattage (18) watts low pressure sodium light, (2) a white incandescent light that is on year round but that is shielded approximately 300 degrees from the beach and visible only from the northeast (as one approaches the area from Port St. Joe driving a car), (3) a white incandescent light that is only on outside during the sea turtle nesting season (November 1 through April 30).

The U.S. Fish and Wildlife Service's Bald Eagle Management Guidelines will be followed to protect bald eagles in relation to zones of influence, activity, and reproduction season. These guidelines describe a primary and secondary management zone, which spatially and seasonally restricts human activity in relation to the bald eagle nest site.

Removal of a load supporting structural member and/or the removal of asbestos containing material on 260 linear feet of pipes, 160 square feet on building components, or 35 cubic feet of asbestos containing material will require that the proponent notify the Florida Department of Environmental Protection (FDEP) of renovation activities IAW Chapter 62-257 Florida Administrative Code (FAC)(Rule 62-257, Asbestos Program)].

Lease language should include the standard language holding the leaseholder responsible for any environmental compliance issues.

Public parking, sidewalks, and other means of egress around the property should comply with the Unified Federal Accessibility Standards.

Presently the design of the stairway does not meet the minimum requirements for fixed stairs in ANSI Standard A14.3, para 4.1.3, 4.1.4, and 4.1.4.1(1) thru (3). If lighthouse is opened to public the stairway must be caged and locked to prevent access if not rehabilitated to conform to current standards.

Gulf County may need to obtain a Coastal Construction Control Line (CCCL) permit for the proposed activities if the structures and/or parking lot are located seaward of the CCCL.

6 LIST OF PREPARERS

Paul R. Bolduc, Ph.D. AAC/EMSP 9 years environmental experience

7 LIST OF CONTACTS

Mr Scott Ely, Eglin Real Estate Office
Mr Mark Stanley, Eglin's Cultural Resources Management Branch
Mr Larry Wells, Gulf County Emergency Management

8 REFERENCES

1. U.S. Air Force, 2001, RCS 98-549, "Cape San Blas Programmatic Environmental Assessment", FONSI signed, 7 Dec 01.
2. R.E. Johnson, "An Archaeological and Historical Survey of the Eglin AFB Cape San Blas Tract, Gulf County, Florida" August 1994.
3. G.A. Carmody, Biological Opinion, signed 18 Dec 01.
4. "Programmatic Agreement Between the Air Armament Center, Eglin Air Force Base, the Advisory Council on Historic Preservation, and the Florida State Historic Preservation Officer Regarding the Preservation and Protection of Historical and Archaeological Resources Located at Eglin Air Force Base, Florida," final signature appended 14 Feb 03.

APPENDIX A

DRAFT OPERATING AGREEMENT

OPERATING AGREEMENT

Between

GULF COUNTY BOARD OF COUNTY COMMISSIONERS

And

EGLIN AIR FORCE BASE

1. **PURPOSE:** This Operating Agreement (OA) between the Gulf County Board of County Commissioners (“the County”) and Eglin Air Force Base (“EAFB”) outlines the responsibilities of the parties for that portion of Air Force (AF) property located on or near Cape San Blas and leased by the AF to the County for use as a museum (“the Cape San Blas Complex”). Situated on EAFB’s Test Site D-3, the Cape San Blas Complex currently consists of several historic structures described in the lease, including a lighthouse and two keeper’s quarters which are eligible for or listed on the National Historic Register.

2. **BACKGROUND:**

A. The County has long desired to educate County residents, tourists and the general public about the significant historical events that affect Cape San Blas and the Gulf County area. The County has, however, long lacked a proper forum to present this information and is desirous of operating a local museum to fulfill this goal.

B. The National Historic Preservation Act (NHPA) requires federal agencies such as EAFB to act as custodians of our nation’s history. In the case of the historic structures at Cape San Blas, EAFB has determined the purpose of the NHPA is best served and EAFB’s responsibilities under the NHPA are best satisfied by partnering with the County to enable the County to preserve and maintain the historic structures for use as a museum, thereby showcasing the maritime history of the Cape San Blas coast on the Cape San Blas Complex.

3. **RESPONSIBILITIES:**

A. Both parties jointly agree to:

(1) Abide by the terms and conditions of the lease, this agreement, appropriate Air Force regulations and any written orders of the Installation Commander, especially those relating to Test Site D-3.

(2) Work together to resolve conflicts at the lowest level.

B. Eglin Air Force Base shall provide:

(1) A reporting official, currently Maria D. Rodriguez, Chief, Cultural Resources Division, Environmental Management Directorate [850 882-8454], or Mr. Mark Stanley, Archaeologist, Cultural Resource Division, Environmental Management Directorate [850 882-8459] to whom the County may report any routine matters or conflicts. The County may also request resolution from the 96th Civil Engineering Group Commander [850-882-2572], or the 96th Air Base Wing Commander [850-882-4571]. Alternatively, the County may elect to follow the procedures for dispute resolution, if any, provided by the lease.

(2) To the County any publicly releasable information concerning the Fresnel lens, which is located in the lighthouse and owned and controlled by the United States Coast Guard. The Air Force makes no representations regarding the condition or use of the Fresnel lens.

(3) Reasonable notice to the County before mandating closure and evacuation of the leased premises and the Cape San Blas Complex. Reasonable notice shall most frequently exceed forty-eight hours but on rare occasions may be significantly less than forty-eight hours.

C. Gulf County Board of County Commissioners shall:

(1) Provide a reporting official, currently Donald H. Butler, Administrator, Gulf County Planning and Building Department [850-229-8944] or Larry Wells, Gulf County Emergency Services [850-229-9110], for AF officials to contact regarding routine matters or conflicts, and another individual, or the Board itself, for resolution of matters which cannot be resolved at the lower level. Alternatively, the AF may elect to follow the procedures for dispute resolution, if any, provided by the lease.

(2) Secure the approval of EAFB's Cultural Resources Division and, if necessary, the State Historic Preservation Office (SHPO), before undertaking any maintenance, repair or renovation of the structures or any activity which has the potential to affect the historical integrity of the properties. All such actions and activities shall be completed in compliance with the AF's responsibilities under the NHPA and, in addition, any other statutes or regulations to which the County's actions or activities are subject. The County hereby warrants it shall not fail to maintain, repair or renovate the structures to the satisfaction of the EAFB Cultural Resources Division and the State Historic Preservation Office.

(3) Upon request, provide copies of all correspondence between the County and the SHPO regarding the Cape San Blas Complex.

(4) Provide appropriate security for and take appropriate measures to protect the Air-Force-owned historic structures, which provision and measures shall include, but not

be limited to, the undertaking of reasonable measures to prevent or minimize damage from erosion, vandalism and natural disasters.

(5) Ensure museum operations or construction will not impact the Air Force mission or AF roads, sewer or water systems, except as expressly authorized in the lease, this agreement or in a subsequent written agreement.

(6) Be responsible for negotiating and entering into an agreement with the United States Coast Guard for the use or retention of the Fresnel lens, if so desired.

(7) Bear all costs and expenses directly or indirectly related to the County's operation of the leased premises, including but not limited to compensation for services, transportation expenses, and construction, maintenance and repair. In no instance shall the Air Force be obligated to fund or pay any costs, expenses or damages arising from the operation of the museum or the lease of the underlying land.

(8) Refrain from conducting tours inside the lighthouse or otherwise opening it to the public unless such tours or interior public viewings are approved in advance by EAFB. The County is hereby notified that EAFB officials regard as unsafe much of the lighthouse and surrounding area, including but not limited to the lighthouse's spiraling staircase and observation deck, both of which lack appropriate guard rails.

(9) Upon notice by the appropriate Eglin official, close, secure or evacuate the Cape San Blas Complex. In such instances, the County shall not hold the United States or EAFB liable for any damages, whether incidental or otherwise, arising from the closure or evacuation, and for any damages, whether incidental or otherwise, relating to the failure of the County to properly secure its property, and, further, the County shall be responsible to the United States for damage to property owned by the United States and leased by the County, which the County fails to reasonably secure.

4. **STATUS OF GULF COUNTY COMMISSIONER'S REPRESENTATIVES:** At all times during the lease term, representatives of Gulf County Commissioners shall remain agents of the entity for all purposes including accountability for any action of omission, negligence, or error in judgment by said representative, and shall not act as an agent for the Department of the Air Force or Eglin Air Force Base, nor shall they hold themselves out as such.

5. **OPERATING HOURS AND EVACUATION:** The museum's normal hours of operation will be Saturday and Sunday, from mid-morning until 5:00 p.m. During tourist season (Memorial Day through Labor Day), the museum will operate daily from mid-morning until 5:00 p.m. The County will determine what hours of operation, if any, the museum will be open on federal holidays and days that, for whatever reason, the EAFB installation commander or higher Air Force authority designates as non-work days (including but not limited to "down days" or "administrative leave" days).

7. **CONFLICTS:** If there is a conflict between this Operating Agreement and the lease between the parties, the terms and conditions of the lease shall govern.

8. **FAILURE TO COMPLY:** Failure to comply with the terms and conditions of this operating agreement shall constitute a basis for termination of the lease and the agreement.

9. **HOLD HARMLESS AND INDEMNIFICATION:** Within thirty days of the signing of this operating agreement, if not incorporated in the lease itself, the County shall also sign an agreement indemnifying and holding the United States harmless against any and all claims which may arise as a result of the County's activities within the Cape San Blas Complex.

10. **TERMINATION:** This Operating Agreement shall remain in effect for the duration of the lease agreement, unless terminated by either party by written 30-day notice to the other party.

FRANCIS L. HENDRICKS, COL, USAF
96 Air Base Wing, Commander
Eglin AFB, FL 32542

Date

Don Butler, Administrator
Gulf County Planning and Building Department
1000 Costin Blvd. Rm. 301
Port St. Joe, FL 32456

Date

APPENDIX B

FEDERAL AGENCY COASTAL ZONE MANAGEMENT ACT NEGATIVE DETERMINATION

FEDERAL AGENCY COASTAL ZONE MANAGEMENT ACT (CZMA) NEGATIVE DETERMINATION

Introduction

This document provides the State of Florida with the U.S. Air Force's Negative Determination under CZMA Section 307 and 15 C.F.R. Part 930. The information in this Negative Determination is provided pursuant to 15 C.F.R. Section 930.35 (b).

Pursuant to Section 307 of the Coastal Zone Management Act, 16 U.S.C. § 1456, as amended, its implementing regulations 15 C.F.R. 930.35 this is a Federal Negative Determination for activities described within the Cape San Blas Keepers Quarters Lease, Eglin AFB, Florida, Environmental Assessment (Chapter 2 of the EA).

Proposed Federal agency action:

Gulf County would lease 1.82 acres of land (Figures 1 and 2) in order to conduct a comprehensive rehabilitation of the CSB lighthouse (LH) Keepers Quarters (KQ) #1. KQ #2, which has received extensive rehabilitation by the Air Force, and the oil house, would be included in the lease. Gulf County intends to maintain and operate these facilities. All work on the buildings will be done in accordance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for rehabilitating historic buildings. Gulf County and the St. Joseph Historical Society have received a \$300,000 grant from the Florida State Historic Preservation Office to provide professional design for the rehabilitation of the KQ. The leased area would then be operated as a historic district/museum after rehabilitation. An 80 ft x 235 ft parking lot would be built on the leased area to accommodate school buses and staff and visitor parking; only a small portion, enough for two handicapped parking spots, would be paved. The historic district would be operated by Gulf County in accordance with an Operating Agreement between Gulf County and Eglin AFB.

The Lighthouse Keepers Quarters #2 has received extensive rehabilitation by the Air Force. Gulf County intends to maintain this facility to the fullest. Rehabilitation emphasis will be initially placed on the Lighthouse Keepers Quarters #1. Gulf County will, upon receipt of an approved plan, solicit proposals from qualified contractors to place Keeper's Quarters #1 on a permanent piling foundation. It will then be relocated approximately 50 to 100 feet from its current location. Once Keeper's Quarters #1 is placed on this foundation, it will be immediately weatherproofed and the exterior will be restored to the original design. Exterior work will include, but not be limited to, asbestos abatement, lead abatement, metal roof and clapboard siding. When the exterior of Keepers' Quarters #1 is completely rehabilitated, the interior will be preserved indefinitely.

The Lighthouse Complex is intended to be set up in such a manner to attract tourists, historians, and the general public. Lighthouse tours will be given at designated times, a nautical museum will be housed in Lighthouse Keepers Quarters #2, and Lighthouse Keepers Quarters #1 will be rehabilitated to its original condition thus becoming a stop on the Lighthouse tour. Educational tours will be provided to the school system and the Lighthouse Tours will be given to Lighthouse enthusiasts and others interested in local history. The museum's normal hours of operation will be Saturday and Sunday, from mid-morning until 5:00 p.m. During tourist season (Memorial Day through Labor Day), the museum will operate daily from mid-morning until 5:00 p.m. The County will determine what hours of operation, if any, the museum will be open on federal holidays and days that, for whatever reason, the Eglin Air Force Base installation commander or higher Air Force authority designates as non-work days (including but not limited to "down days" or "administrative leave" days).

Controlled access is mandatory to protect the structures from vandalism, etc. During the hours of operations, at least two historical society personnel will operate the museum and/or lighthouse tours. The number of visitors will fluctuate according to the season, with the highest numbers in the summer because of the proximity to T.H. Stone Park. It is likely that several hundred people per week could frequent the Lighthouse Complex during tourist season.

The construction of a small parking lot to accommodate the increase in vehicles on the property will be required. The parking lot will be 80 feet x 235 feet. Only a small portion of the lot will be paved to provide handicap access (approximately 2 handicap parking spaces). The construction of the parking lot will not require tree clearing.

Additional restroom facilities will not be required at this time. Any future plans to increase facilities in the area will be handled by connection with the existing septic tank.

Federal Review

After review of the Florida Coastal Management Program and enforceable policies of your management program, the U.S. Air Force has made a negative determination that the transfer of this lease from Eglin AFB to Gulf County is an activity that will not have an effect on the State of Florida's coastal zone or its resources. Relevant FCMP statutes are addressed below.

Florida Coastal Management Program Consistency Review

Statute	Consistency	Scope
Chapter 161 <i>Beach and Shore Preservation</i>	The proposed project would not adversely affect beach and shore management, specifically as it pertains to: -The Coastal Construction Permit Program. -The Coastal Construction Control Line (CCCL) Permit Program. -The Coastal Zone Protection Program. All land activities would occur on federal property.	Authorizes the Bureau of Beaches and Coastal Systems within DEP to regulate construction on or seaward of the states' beaches.
Chapter 163, Part II <i>Growth Policy; County and Municipal Planning; Land Development Regulation</i>	All activities would occur on federal property.	Requires local governments to prepare, adopt, and implement comprehensive plans that encourage the most appropriate use of land and natural resources in a manner consistent with the public interest.
Chapter 186 <i>State and Regional Planning</i>	All activities would occur on federal property.	Details state-level planning requirements. Requires the development of special statewide plans governing water use, land development, and transportation.
Chapter 252 <i>Emergency Management</i>	The proposed action would not increase the state's vulnerability to natural disasters. Emergency response and evacuation procedures would not be impacted by the proposed action.	Provides for planning and implementation of the state's response to, efforts to recover from, and the mitigation of natural and manmade disasters.
Chapter 253 <i>State Lands</i>	All activities would occur on federal property.	Addresses the state's administration of public lands and property of this state and provides direction regarding the acquisition, disposal, and management of all state lands.
Chapter 258 <i>State Parks and Preserves</i> Chapter 259 <i>Land Acquisition for Conservation or Recreation</i> Chapter 260 <i>Recreational Trails System</i>	State parks, recreational areas and aquatic preserves would not be affected by the proposed action. Tourism and outdoor recreation would not be affected. Opportunities for recreation on state lands would not be affected. Acquisitions of land to create a recreational trails system would not be affected.	Addresses administration and management of state parks and preserves (Chapter 258). Authorizes acquisition of environmentally endangered lands and outdoor recreation lands (Chapter 259). Authorizes acquisition of land to create a recreational trails system and to facilitate management of the system (Chapter 260).

Chapter 375 <i>Multipurpose Outdoor Recreation; Land Acquisition, Management, and Conservation</i>		Develops comprehensive multipurpose outdoor recreation plan to document recreational supply and demand, describe current recreational opportunities, estimate need for additional recreational opportunities, and propose means to meet the identified needs (Chapter 375).
Chapter 267 <i>Historical Resources</i>	There are no cultural resource sites within the area of the proposed action. SHPO consultation has been completed for this area. There would be no impacts to cultural resources as a result of the proposed action.	Addresses management and preservation of the state's archaeological and historical resources.
Chapter 288 <i>Commercial Development and Capital Improvements</i>	The proposed action would occur on federal property. The proposed action is not anticipated to have any effect on future business opportunities on state lands. The proposed action will increase opportunities for tourism in the region.	Provides the framework for promoting and developing the general business, trade, and tourism components of the state economy.
Chapter 334 <i>Transportation Administration</i> Chapter 339 <i>Transportation Finance and Planning</i>	The proposed project would not have an impact on transportation. The primary roadway to the Lighthouse Complex is State Road 30-E. The complex is located on an Air Force Road (Keeper's Cottage Way), which is approximately 2000 feet from State Road 30-E which operates at 16% capacity, according to the Florida Department of Transportation. The roadway to the Lighthouse Complex is not impacted over two dozen times a day. Even during the busiest weeks, the use of the Air Force Road (Keeper's Cottage Way) will be way below capacity. The proposed project would have no effect on the finance and planning needs of the state's transportation system.	Addresses the state's policy concerning transportation administration (Chapter 334). Addresses the finance and planning needs of the state's transportation system (Chapter 339).
Chapter 370 <i>Saltwater Fisheries</i>	The proposed action would not affect saltwater fisheries.	Addresses management and protection of the state's saltwater fisheries.
Chapter 372 <i>Wildlife</i>	There would be no threats to wildlife as a result of the proposed action. Any additional lighting installed in the area would need to follow one of the minimally acceptable requirements for sea turtles. (1) A very low wattage (18) watts low pressure sodium light, (2) a white incandescent light that is on year round but that is shielded approximately 300 degrees from the beach and visible only from the northeast (as one approaches the area from Port St. Joe driving a car), (3) a white incandescent light that is only on	Addresses the management of the wildlife resources of the state.

	<p>outside during the sea turtle nesting season (November 1 through April 30).</p> <p>The U.S. Fish and Wildlife Service's Bald Eagle Management Guidelines will be followed to protect bald eagles in relation to zones of influence, activity, and reproduction season. These guidelines describe a primary and secondary management zone, which spatially and seasonally restricts human activity in relation to the bald eagle nest site. The proposed action is located in the secondary management zone of the nearest nest.</p> <p>The primary zone is the most critical area required and maintained. This region encompasses an area extending from the nest tree out to a distance (radius) of 229 m (750 ft). A variety of activities are prohibited within the primary zone, including residential, commercial, or industrial development; tree cutting and logging; construction and mining; and the use of chemicals toxic to wildlife. Human entry and low-level aircraft flights over the primary zone should be discouraged during the nesting season (October 1 – May 15).</p> <p>The secondary management zone (which the proposed action falls inside) is designated to minimize disturbance that might compromise the integrity of the primary zone. This zone typically begins at the outside boundary of the primary zone at 229 m (750 ft) and extends out to a distance (radius) of approximately 457 m (1,500 ft). Those activities generally recommended to avoid within the secondary management zone include new commercial or industrial sites, multi-story buildings and high-density development, new road, trail, or canal construction that would facilitate access to the nest, and the use of chemicals toxic to wildlife. Permissible activities within the secondary management zone (but outside the reproduction season) include logging, land-clearing, construction, seismographic activities employing explosives, mining, oil well drilling, and low-level aircraft operations.</p>	
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	The proposed action will not facilitate increased access to primary zone as the beach area south of the nest has eroded to a point where foot traffic is unmanageable.	
Chapter 373 <i>Water Resources</i>	Wetlands do not occur within the project area. No work will occur in wetlands/surface waters. Erosion controls will be employed as required to prevent the migration of sediments into any surface waters.	Addresses the state's policy concerning water resources.
Chapter 376 <i>Pollutant Discharge Prevention and Removal</i>	The Keepers Quarters #1 may have asbestos and does have lead-based paint. Personnel should ensure that the asbestos, if present, is removed and disposed of properly. Depending on the removal process used, the paint could be hazardous waste. Personnel will coordinate disposal of any materials with AAC/EMCP (Eglin's Environmental Management Directorate, Compliance Division, Pollution Prevention Branch). No visitors will be allowed inside this building until renovation has been completed and all hazardous materials have been properly disposed of.	Regulates transfer, storage, and transportation of pollutants, and cleanup of pollutant discharges.
Chapter 377 <i>Energy Resources</i>	Energy resource production, including oil and gas, and the transportation of oil and gas, would not be affected by the proposed action.	Addresses regulation, planning, and development of energy resources of the state.
Chapter 380 <i>Land and Water Management</i>	The proposed action would occur on federally owned lands. Under the proposed action, development of state lands with regional (i.e. more than one county) impacts would not occur. Areas of Critical State Concern or areas with approved state resource management plans such as the Northwest Florida Coast would not be affected. Changes to coastal infrastructure such as bridge construction, capacity increases of existing coastal infrastructure, or use of state funds for infrastructure planning, designing or construction would not occur.	Establishes land and water management policies to guide and coordinate local decisions relating to growth and development.
Chapter 381 <i>Public Health, General Provisions</i>	There will be no impact on sewer systems as a result of the proposed action.	Establishes public policy concerning the state's public health system.
Chapter 388 <i>Mosquito Control</i>	The proposed action would not affect mosquito control efforts.	Addresses mosquito control effort in the state.
Chapter 403 <i>Environmental Control</i>	The proposed action would not affect ecological systems and water quality of state waters. Air quality criteria would not be exceeded.	Establishes public policy concerning environmental control in the state.

<p>Chapter 582 <i>Soil and Water Conservation</i></p>	<p>Erosion controls will be employed as required to prevent migration of sediments into wetlands/surface waters. The proposed action involves the remodeling of already existing buildings. Remodeling of the building is not anticipated to involve additional soil disturbance or breaching the soil/groundwater interface. The proposed leased area (excluding the indicated .27 acres under the lighthouse) is free of soil contamination or underground storage tanks (USTs). Access to the 0.27 acres under the lighthouse should be maintained so that the Government can remediate the lead containing soils beneath the lighthouse. The AF will remediate the lead in soil around the lighthouse before the area becomes part of the lease. Remediation presently awaits funding, but could begin as soon as Fiscal Year 2005.</p>	<p>Provides for the control and prevention of soil erosion.</p>
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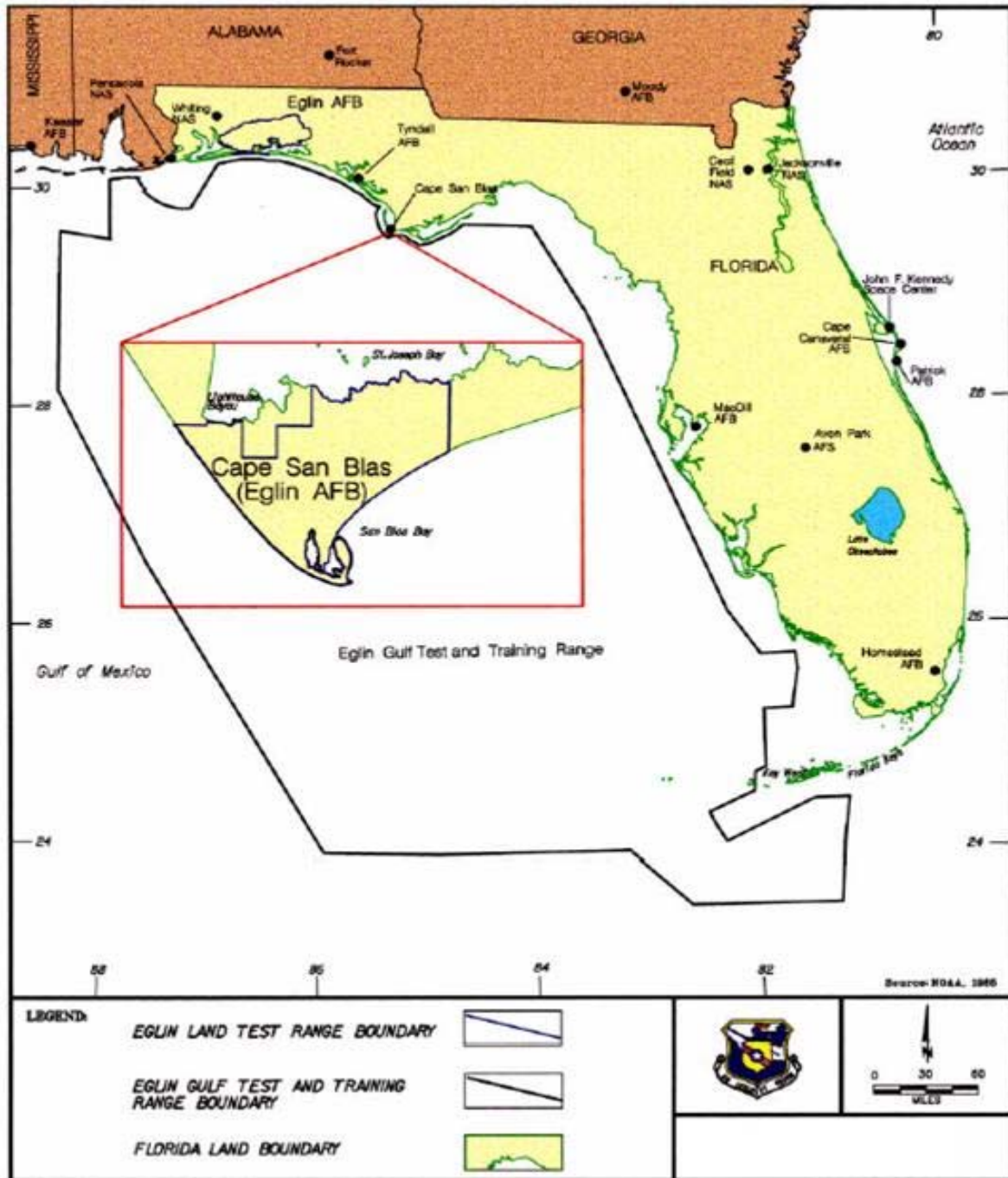


Figure 1. Location of Cape San Blas with Respect to the Eglin Range Complex

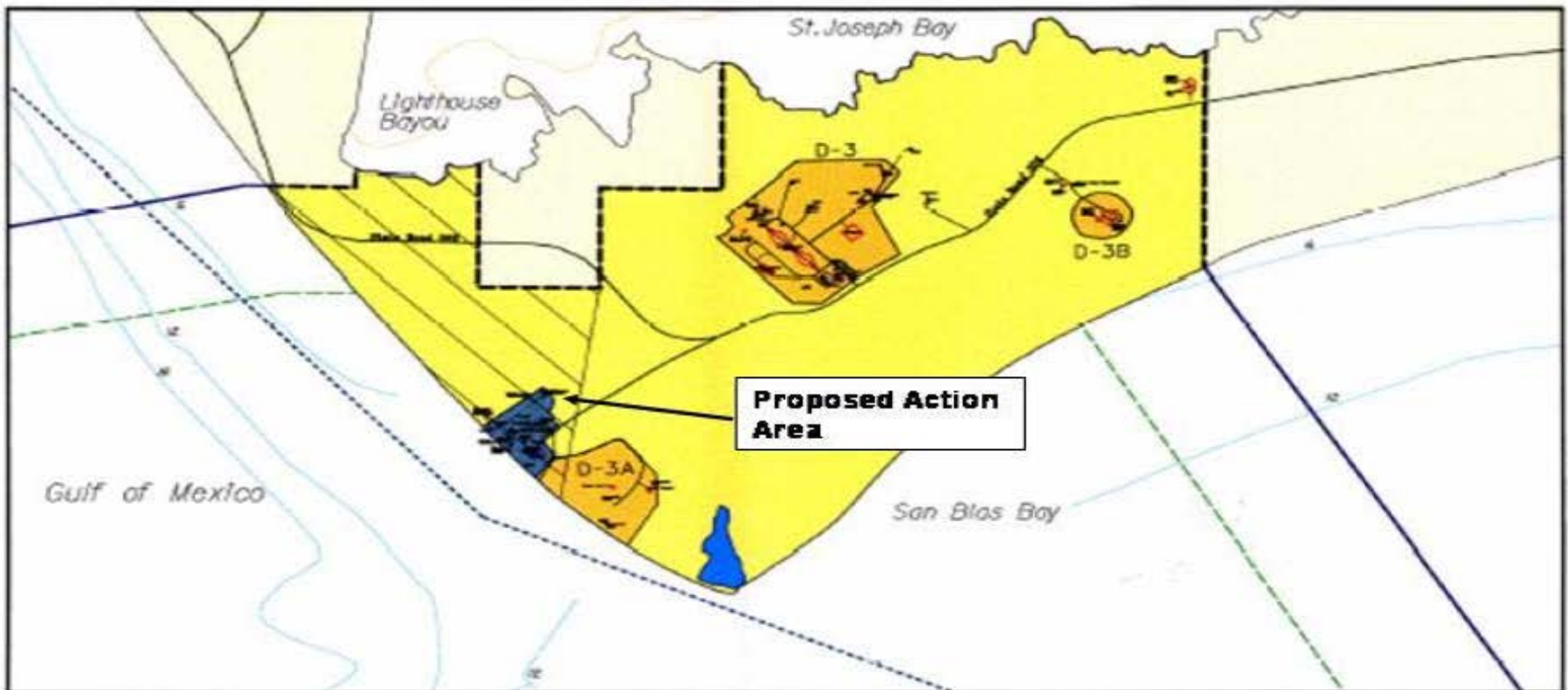


Figure 2. Location of Eglin AFB property at CSB.

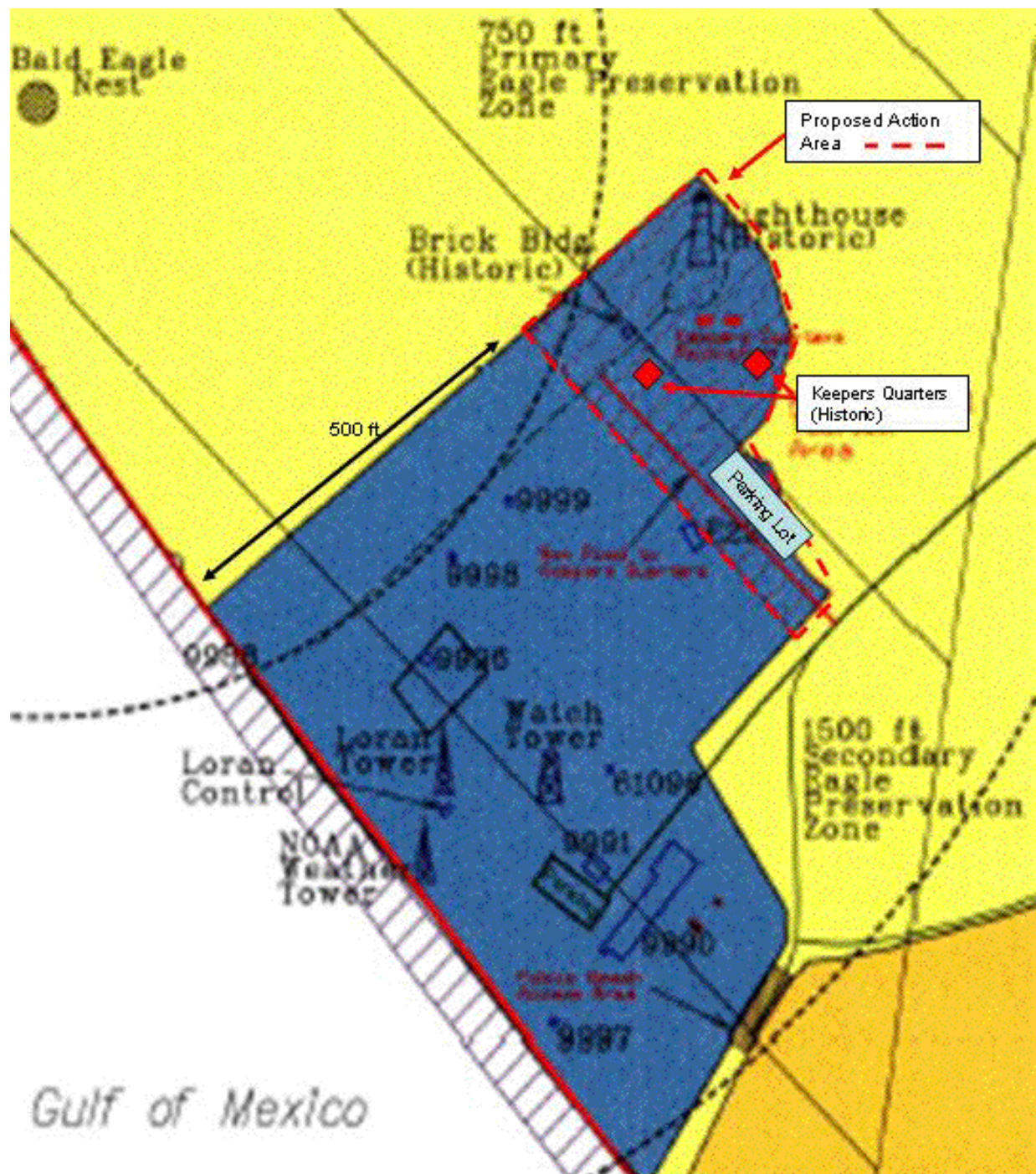


Figure 3. Proposed Area for lease.

Bolduc Paul R Civ AAC/EMSP

From: Milligan, Lauren [Lauren.Milligan@dep.state.fl.us]
Sent: Friday, February 27, 2004 2:53 PM
To: Poirier Jennifer M Contr AAC/EMSN
Cc: Lawson, Daniel; Vanta Elizabeth B GS-13 AAC/EMSP; Seiber Stephen M GS-13 AAC/EMSN; Hagedorn Bruce W GS-12 AAC/EMSNW; Bolduc Paul R Civ AAC/EMSP; Mike Nunley (E-mail); McDowell, Lindy
Subject: RE: Cape San Blas Negative Determination

Ms. Jennifer Poirier, Environmental Scientist
Eglin AFB - Natural Resources Branch
107 Highway 85 North
Niceville, FL 32578

RE: Department of the Air Force - Negative Determination - Cape San Blas
Keepers Quarters Lease, Eglin Air Force Base - Cape San Blas, Gulf County,
Florida.
SAI # FL200402275520

Dear Jennifer:

The Florida State Clearinghouse is in receipt of your notice regarding the U.S. Air Force's proposal to lease 1.82 acres of land to Gulf County for rehabilitation/relocation of the CSB Lighthouse Keepers Quarters, construction of a small pervious parking lot, and operation of the site as a historic museum. Department staff does not object to the Air Force's negative determination and agrees that the proposed action meets the requirements of 15 CFR 930.35.

Please note that a Coastal Construction Control Line (CCCL) permit may be required for the proposed activities if the structures and/or parking lot are located seaward of the CCCL. We recommend that the applicant contact Mr. Tony McNeal, P.E. Administrator, or Mr. Fritz Wettstein, Environmental Manager, at the DEP Bureau of Beaches and Coastal Systems in Tallahassee for further information on those requirements. See website:
<http://www.dep.state.fl.us/beaches/programs/ccclprog.htm>

Thank you for the opportunity to review this proposal. If you have any questions or need further assistance, please contact me at (850) 245-2170.

Sincerely,

Lauren P. Milligan, Environmental Consultant
Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Blvd, Mail Station 47
Tallahassee, Florida 32399-3000
ph. (850) 245-2170
fax (850) 245-2190

APPENDIX C

PUBLIC NOTIFICATION

PROOF OF PUBLICATION

The Star

published weekly at
209 - 211 Reid Avenue

Port St. Joe,
Gulf County, Florida

STATE OF FLORIDA,
COUNTY OF GULF

ss.

Before the undersigned authority personally appeared William H. Ramsey, who deposes and says that he is editor of The Star, a weekly newspaper printed in the English language and of general circulation county and state, and

PUBLIC NOTIFICATION

In compliance with the National Environmental Policy Act, Eglin Air Force Base announces the availability of a draft Environmental Assessment and Finding of No Significant Impact for **Lease of Lighthouse Complex at Cape San Blas** for public review and comment.

The Proposed Action of **Lease of Lighthouse Complex at Cape San Blas**, would be for Gulf County to lease less than two acres of land in order to conduct a comprehensive rehabilitation for the Cape San Blas lighthouse and two Keeper's Quarters. The leased area would operate as a historic district/museum. An 80 foot by 235 foot parking lot would be built on the leased area to accommodate buses, staff, and visitor parking.

Your comments on this draft EA are requested. Letters or other written or oral comments provided may be published in the Final EA. As required by law, comments will be addressed in the Final EA and made available to the public. Any personal information provided will be used only to identify your desire to make a statement during the public comment period or to fulfill requests for copies of the final EA or associated documents. Private addresses will be compiled to develop a mailing list for those requesting copies of the final EA. However, only the names and respective comments of respondent individuals will be disclosed. Personal home addresses and phone numbers will not be published in the Final EA.

Copies of the Environmental Assessment and Finding of No Significant Impact may be reviewed at the Gulf County Public Library, 110 Library Road, Port St. Joe, Fla. Copies will be available for review from Feb. 27, 2004 through Mar. 12, 2004. Comments must be received by Mar. 15, 2004.

For more information or to comment on these proposed actions, contact:

Mr. Mike Spaits, AAC/EM-PAV, 501 De Leon Street, Suite 101, Eglin AFB, Florida 32542-5133 or email: mike.spaits@eglin.af.mil. Tel: (850) 882-2878; Fax: (850) 882-6284.

n - Lease

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Editor

Sworn to and subscribed before me

this 26th day of

February A.D. 2004.



Vivian H Stokes
My Commission DD046867
Expires August 01, 2006

Mar. 15, 2004

Public Notice Certification

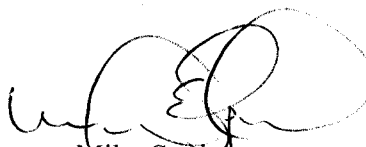
RCS 04-145

Lease of Keepers Quarters at Cape San Blas EA

A public notice was published in the *Port St. Joe Star* on Feb. 26, 2004 to disclose completion of the Draft EA, selection of the preferred alternative, and request comments during the 15-day pre-decisional comment period.

The 15-day comment period ended on Mar. 12, 2004, with the comments required to this office not later than Mar. 15, 2004.

No comments were received during this period.

A handwritten signature in black ink, appearing to read "Mike Spait", is written over a faint, circular official stamp.

Mike Spait
AAC Environmental Public Affairs